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**Presentment Date: April 21, 2009**  
**Time: 12:00 p.m.**

**Objections Due: April 17, 2009**  
**Time: 4:00 p.m.**

*Attorneys for Irving H. Picard*  
*Trustee for the SIPA Liquidation of*  
*Bernard L. Madoff Investment Securities LLC*

**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

**NOTICE OF PRESENTMENT OF TRUSTEE'S MOTION FOR AN ORDER**  
**APPROVING THE RETENTION OF HIGGS JOHNSON TRUMAN BODDEN & CO**  
**AS SPECIAL COUNSEL NUNC PRO TUNC AS OF MARCH 25, 2009**

**PLEASE TAKE NOTICE** that upon the motion of Irving H. Picard as trustee (the "Trustee") for the liquidation of the business of Bernard L. Madoff Investment Securities LLC, for authority to retain Higgs Johnson Truman Bodden & Co as special counsel *nunc pro tunc* as of March 25, 2009, the undersigned will present the proposed order (the "Order") submitted herewith to the Honorable Burton R. Lifland, United States Bankruptcy Judge, for signature and entry on **April 21, 2009, at 12:00 noon.**

**PLEASE TAKE FURTHER NOTICE**, that objections, if any, to the proposed Order ("Objections"), shall (i) be in writing, (ii) conform to the Federal Rules of Bankruptcy

Procedure, Local Bankruptcy Rules and General Orders, (iii) specify the name of the objecting party and state with specificity the basis of the objection(s) and the specific grounds therefor, (iv) filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the chambers of the Honorable Burton R. Lifland, One Bowling Green New York, New York 10004 and (v) served upon on Baker & Hostetler, LLP, Counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David Sheehan, so as to be received no later than **4:00 p.m. on April 17, 2009**.

**PLEASE TAKE FURTHER NOTICE**, that in the event any Objections are timely served and filed, a hearing may be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

**PLEASE TAKE FURTHER NOTICE**, that, unless Objections are timely served and filed, the proposed Order may be signed without a hearing.

Dated: New York, New York  
April 8, 2009

By: /s/David J. Sheehan  
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